

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION**

BELL HELICOPTER TEXTRON INC., and : CASE NO. 4:12-CV-00113-Y
 TEXTRON INNOVATIONS INC., :
 :
 Plaintiffs, :
 :
 vs. :
 :
 ELECTRONIC ARTS INC., :
 :
 Defendant. :

NOTICE OF DECISION

TO THE HONORABLE TERRY R. MEANS, UNITED STATES DISTRICT JUDGE:

Plaintiffs Bell Helicopter Textron Inc. and Textron Innovations Inc. (collectively, “Plaintiffs”) provide this Notice of Decision pursuant to the Court’s order of April 11, 2012.

On January 6, 2012, Electronic Arts Inc. (“EA”) filed a declaratory judgment complaint against Textron Inc. (“Textron Inc.”), Bell Helicopter Textron Inc. (“Bell”), and Textron Innovations Inc. (“Textron Innovations”) (together, “California Defendants”) in the United States District Court for the Northern District of California, San Francisco Division (“California Action”).

On February 24, 2012, Bell and Textron Innovations filed a Complaint against EA in this Court, alleging trademark infringement and false designation of origin under the Lanham Act, unfair competition and misappropriation under Texas common law, and injury to trademarks under section 16.29 of the Texas Business & Commerce Code (“Texas Action”).

On February 29, 2012, the California Defendants in the California Action filed a Motion to Dismiss or, in the Alternative, Stay or Transfer the California Action to the Northern District

of Texas ("California Forum Motion"), arguing that the California Action was an anticipatory filing and inconsistent with the purposes of the Declaratory Judgment Act.

On April 5, 2012, the parties in this Texas Action filed a joint motion to stay proceedings pending the resolution of the California Forum Motion. On April 11, this Court granted the joint motion to stay and ordered Bell and Textron Innovations to notify the Court within seven days of the California district court's ruling on the California Forum Motion.

On April 27, 2012, the California district court entered an order denying the California Forum Motion and retaining jurisdiction over the California Action. As a result of this ruling, Plaintiffs Bell and Textron Innovations currently intend to voluntarily dismiss this Texas Action after filing counterclaims in the California Action next week.

DATED: May 4, 2012

Respectfully submitted,

/s/ David W. Chant

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**ATTORNEYS FOR PLAINTIFFS
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AND TEXTRON INNOVATIONS INC.**

CERTIFICATE OF SERVICE

I hereby certify that on May 4, 2012, I electronically filed the foregoing document with the Clerk of Court for the U.S. District Court, Northern District of Texas, using the CM/ECF system of the Court which will send a "Notice of Electronic Filing" to the following attorneys of record who have consented in writing to accept this Notice as service of this document by electronic means:

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